

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
Eastern Division
Docket No. 4:10-M-1035-1**

United States of America

vs.

Kevin G. Small

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JUDGMENT

On August 4, 2010, Kevin G. Small appeared before the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge in the Eastern District of North Carolina, and pursuant to an earlier plea of guilty to Resisting a Forest Officer Engaged in the Performance of Official Duties, in violation of 36 C.F.R. 261.3(a), and Operate a Motor Vehicle in a Careless and Reckless Manner, in violation of 36 C.F.R. 261.54(f), was sentenced to a 12-month term of probation.

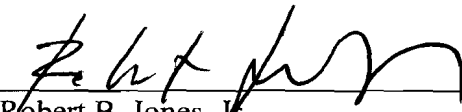
From evidence presented at the revocation hearing on December 22, 2010, the court finds as a fact that Kevin G. Small, who is appearing before the court with counsel, has violated the terms and conditions of the probation judgment as follows:

1. Using a controlled substance.
2. Criminal conduct.
3. Failure to notify the officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
4. Failure to participate as directed by the probation officer in a treatment program for narcotic addiction, drug dependency, or alcohol dependency.
5. Failure to report to the probation officer as directed by the court or probation officer.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the probation sentence heretofore granted be revoked, and the defendant is ordered committed to the custody of the Bureau of Prisons or its authorized representative for imprisonment for a period of 2 months; provided however, that Defendant receive credit for time served in incarceration to date.

IT IS FURTHER ORDERED that the Clerk provide the U.S. Marshal a copy of this Judgment and same shall serve as the commitment herein.

This the 22nd day of December, 2010.



Robert B. Jones, Jr.
U.S. Magistrate Judge